

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S5683–S5789

Measures Introduced: Thirteen bills and three resolutions were introduced, as follows: S. 2582–2594, S. Res. 334–335, and S. Con. Res. 12. **Page S5716**

Measures Passed:

United States Capitol Police Congressional Gold Medals: Committee on Banking, Housing, and Urban Affairs was discharged from further consideration of H.R. 3325, to award four congressional gold medals to the United States Capitol Police and those who protected the U.S. Capitol on January 6, 2021, and the bill was then passed. **Pages S5685–87**

Solidarity with Cuban Citizens: Senate agreed to S. Res. 310, expressing solidarity with Cuban citizens demonstrating peacefully for fundamental freedoms, condemning the Cuban regime's acts of repression, and calling for the immediate release of arbitrarily detained Cuban citizens, after agreeing to the committee amendment in the nature of a substitute. **Pages S5699–S5701**

National Lobster Day: Senate agreed to S. Res. 335, designating September 25, 2021, as "National Lobster Day". **Pages S5706–07**

Measures Considered:

Invest in America Act—Agreement: Senate continued consideration of H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, taking action on the following amendments proposed thereto:

Pages S5683–85, S5687–90, S5690–99, S5701–06

Adopted:

By 95 yeas to 3 nays (Vote No. 294), Schumer (for Lummis) Amendment No. 2181 (to Amendment No. 2137), to require the Secretary of Transportation to carry out a highway cost allocation study. (A unanimous-consent agreement was reached providing that the amendment, having achieved 60 affirmatives votes, be agreed to.) **Pages S5683–85, S5687–90**

Carper (for Cruz/Warnock) Amendment No. 2300 (to Amendment No. 2137), to designate additional

high priority corridors on the National Highway System. **Pages S5694–99**

By a unanimous vote of 97 yeas (Vote No. 297), Carper (for Van Hollen) Amendment No. 2354 (to Amendment No. 2137), to include a payment and performance security requirement for certain infrastructure financing. (A unanimous-consent agreement was reached providing that the amendment, having achieved 60 affirmatives votes, be agreed to.) **Pages S5706–07**

Rejected:

By 20 yeas to 78 nays (Vote No. 295), Lee Amendment No. 2255 (to Amendment No. 2137), in the nature of a substitute. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S5687–90**

By 48 yeas to 50 nays (Vote No. 296), Carper (for Duckworth) Amendment No. 2140 (to Amendment No. 2137), to require recipients of all stations accessibility grants to adopt plans to pursue public transportation accessibility projects that provide accessibility for individuals with disabilities. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, was not agreed to.) **Pages S5690–99**

Pending:

Schumer (for Sinema) Amendment No. 2137, in the nature of a substitute. **Page S5684**

Carper/Capito Amendment No. 2131 (to Amendment No. 2137), to strike a definition. **Page S5684**

Carper (for Johnson) Amendment No. 2245 (to Amendment No. 2137), to prohibit the cancellation of contracts for physical barriers and other border security measures for which funds already have been obligated and for which penalties will be incurred in the case of such cancellation and prohibiting the use of funds for payment of such penalties. **Pages S5704–06**

A unanimous-consent-time agreement was reached providing that at 12:15 p.m., on Wednesday, August 4, 2021, Senate vote on or in relation to Carper (for Johnson) Amendment No. 2245 (to Amendment No. 2137) (listed above), with no amendments in order to the amendments prior to a vote on or in relation to the amendment, with 60-affirmative votes

required for adoption of the amendment, and two minutes for debate equally divided prior to the vote.

Page S5689

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Wednesday, August 4, 2021.

Page S5789

Appointments:

Commission on Social Impact Partnerships: The Chair, pursuant to Public Law 115–123, on behalf of the Majority Leader of the Senate, appointed the following individual as a member of the Commission on Social Impact Partnerships: Carol B. Kellermann of New York.

Page S5789

Lee Nomination—Cloture: Senate began consideration of the nomination of Eunice C. Lee, of New York, to be United States Circuit Judge for the Second Circuit.

Pages S5707–08

A motion was entered to close further debate on the nomination, and, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Thursday, August 5, 2021.

Page S5708

Prior to the consideration of this nomination, Senate took the following action:

Senate agreed to the motion to proceed to Executive Session to consider the nomination.

Page S5707

Nomination Confirmed: Senate confirmed the following nomination:

Stacey A. Dixon, of the District of Columbia, to be Principal Deputy Director of National Intelligence.

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Messages from the House:

Pages S5711–12

Executive Communications:

Page S5712

Petitions and Memorials:

Pages S5712–16

Executive Reports of Committees:

Pages S5711, S5716

Notice of a Tie Vote Under S. Res. 27:

Page S5708

Additional Cosponsors:

Pages S5716–19

Statements on Introduced Bills/Resolutions:

Additional Statements:

Pages S5710–11

Amendments Submitted:

Pages S5720–88

Authorities for Committees to Meet:

Pages S5788–89

Privileges of the Floor:

Page S5789

Record Votes: Four record votes were taken today. (Total—297)

Pages S5689, S5690 S5696, S5707

Adjournment: Senate convened at 10:30 a.m. and adjourned at 8:23 p.m., until 10:30 a.m. on Wednesday, August 4, 2021. (For Senate's program,

see the remarks of the Majority Leader in today's Record on page S5789.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nomination of Lieutenant General Laura J. Richardson, USA, to be general and Commander, United States Southern Command, Department of Defense, after the nominee testified and answered questions in her own behalf.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported 31 nominations in the Army, Navy, Air Force, and Marine Corps.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the nomination of Damon Y. Smith, of Maryland, to be General Counsel of the Department of Housing and Urban Development.

OVERSIGHT OF REGULATORS

Committee on Banking, Housing, and Urban Affairs: Committee concluded an oversight hearing to examine regulators and our financial system, after receiving testimony from Todd M. Harper, Chairman, National Credit Union Administration; Jelena McWilliams, Chairman, Federal Deposit Insurance Corporation; and Michael J. Hsu, Acting Comptroller of the Currency, Department of the Treasury.

CONSUMER PROTECTION

Committee on Banking, Housing, and Urban Affairs: Subcommittee on Financial Institutions and Consumer Protection concluded a hearing to examine protecting consumers from financial fraud and scams in the pandemic recovery economy, after receiving testimony from Liz Coyle, Georgia Watch, Atlanta; and John Breyault, National Consumers League, and Rachel Greszler, The Heritage Foundation, both of Washington, D.C.

TOXIC MARKETING CLAIMS

Committee on Commerce, Science, and Transportation: Subcommittee on Consumer Protection, Product Safety, and Data Security concluded a hearing to examine toxic marketing claims and their dangers, after receiving testimony from North Carolina Attorney General Joshua H. Stein, Raleigh; Robert K. Jackler, Stanford University School of Medicine, Stanford, California; Ariel Fox Johnson, Common Sense Media,

San Francisco, California; and Maureen K. Ohlhausen, Baker Botts L.L.P., former Acting Chair, Federal Trade Commission, Washington, D.C.

NOMINATIONS

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the nominations of Geraldine Richmond, of Oregon, to be Under Secretary for Science, who was introduced by Senator Wyden, and Asmeret Asefaw Berhe, of California, to be Director of the Office of Science, both of the Department of Energy, and Cynthia Weiner Stachelberg, of New York, to be an Assistant Secretary of the Interior, after the nominees testified and answered questions in their own behalf.

AUTHORIZATIONS OF USE OF FORCE

Committee on Foreign Relations: Committee concluded a hearing to examine authorizations of use of force, focusing on administration perspectives, after receiving testimony from Wendy Sherman, Deputy Secretary, and Richard C. Visek, Acting Legal Adviser, both of the Department of State; and Caroline Krass, General Counsel, Department of Defense.

DOMESTIC TERRORISM AND VIOLENT EXTREMISM

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine domestic terrorism and violent extremism, focusing on the threat of racially, ethnically, religiously, and politically motivated attacks, after receiving testimony from Wade Henderson, The Leadership Conference on Civil and Human Rights, John C. Yang, Asian Americans Advancing Justice, and Seth G. Jones, Center for Strategic and International Studies, all of Washington, D.C.; Eric Fingerhut, Jewish Federations of North America, New York, New York; and Paul Goldenberg, Rutgers University Miller Center on Community Resilience and Protection, Hamilton Township, New Jersey.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following business items:

S. 1486, to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition, with an amendment in the nature of a substitute;

S. 1543, to amend the Public Health Service Act to provide best practices on student suicide awareness and prevention training and condition State educational agencies, local educational agencies, and tribal educational agencies receiving funds under section 520A of such Act to establish and implement a school-based student suicide awareness and prevention training policy, with an amendment in the nature of a substitute;

S. 2425, to amend the Public Health Service Act to ensure the provision of high-quality service through the Suicide Prevention Lifeline, with an amendment in the nature of a substitute;

S. 2401, to reauthorize the Assistive Technology Act of 1998, with an amendment in the nature of a substitute; and

The nomination of Javier Ramirez, of Illinois, to be Federal Mediation and Conciliation Director.

STUDENT LOAN BANKRUPTCY REFORM

Committee on the Judiciary: Committee concluded a hearing to examine student loan bankruptcy reform, after receiving testimony from Illinois Attorney General Kwame Raoul, Chicago; Elizabeth Gonzalez, Public Law Center, Santa Ana, California; Beth Akers, American Enterprise Institute, Washington, D.C.; Christopher P. Chapman, AccessLex Institute, West Chester, Pennsylvania; and Diane Barta, Richmond Hill, Georgia.

CONGRESSIONAL OVERSIGHT AND EXECUTIVE PRIVILEGE

Committee on the Judiciary: Subcommittee on Federal Courts, Oversight, Agency Action, and Federal Rights concluded a hearing to examine principles and practice of congressional oversight and executive privilege, after receiving testimony from Kate Shaw, Yeshiva University Benjamin N. Cardozo School of Law, New York, New York; Jonathan David Shaub, University of Kentucky J. David Rosenberg College of Law, Lexington; and Mark J. Rozell, George Mason University Schar School of Policy and Government, and Jennifer L. Mascott, George Mason University Antonin Scalia Law School, both of Arlington, Virginia.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 32 public bills, H.R. 4904–4935; 1 private bill, H.R. 4936; and 1 resolution, H. Con. Res. 46, were introduced. **Pages H4310–12**

Additional Cosponsors: **Pages H4313–14**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative Wexton to act as Speaker pro tempore for today. **Page H4309**

Senate Referrals: S. 1046 was held at the desk. S. 1301 was held at the desk. S. 2045 was held at the desk. **Page H4309**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H4309.

Quorum Calls—Votes: There were no Yea and Nay votes, and there were no Recorded votes. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:03 a.m.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, AUGUST 4, 2021

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: business meeting to markup an original bill making appropriations for Energy and Water Development and Related Agencies for the fiscal year ending September 30, 2022, an original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2022, and an original bill making appropriations for Military Construction, Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2022, 9:30 a.m., SD–106.

Committee on Commerce, Science, and Transportation: business meeting to consider S. 451, to require the Secretary of Commerce, acting through the Director of the National Institute of Standards and Technology, to help facilitate the adoption of composite technology in infrastructure in the United States, S. 1790, to ensure that the

Federal Communications Commission does not approve radio frequency devices that pose a national security risk, S. 1880, to direct the Federal Trade Commission to submit to Congress a report on unfair or deceptive acts or practices targeted at Indian Tribes or members of Indian Tribes, S. 2068, to require the Minority Business Development Agency of the Department of Commerce to promote and administer programs in the public and private sectors to assist the development of minority business enterprises, to ensure that such Agency has the necessary supporting resources, particularly during economic downturns, S. 2299, to modify the age requirement for the Student Incentive Payment Program of the State maritime academies, S. 2333, to amend chapter 2205 of title 36, United States Code, to ensure equal treatment of athletes, and the nominations of Jennifer L. Homendy, of Virginia, to be Chairman of the National Transportation Safety Board, Karen Jean Hedlund, of Colorado, to be a Member of the Surface Transportation Board, and Robert Cornelius Hampshire, of Michigan, and Carol Annette Petsonk, of the District of Columbia, both to be an Assistant Secretary of Transportation, 10 a.m., SR–253.

Committee on Foreign Relations: business meeting to consider S.J. Res. 10, to repeal the authorizations for use of military force against Iraq, and the nominations of Gentry O. Smith, of Virginia, to be an Assistant Secretary (Diplomatic Security), Monica P. Medina, of Maryland, to be Assistant Secretary for Oceans and International Environmental and Scientific Affairs, Rena Bitter, of the District of Columbia, to be an Assistant Secretary (Consular Affairs), Marc Evans Knapper, of California, to be Ambassador to the Socialist Republic of Vietnam, Brian A. Nichols, of Rhode Island, to be an Assistant Secretary (Western Hemisphere Affairs), Karen Erika Donfried, of the District of Columbia, to be an Assistant Secretary (European Affairs and Eurasian Affairs), Mary Catherine Phee, of Illinois, to be an Assistant Secretary (African Affairs), and to be a Member of the Board of Directors of the African Development Foundation, Anne A. Witkowsky, of Maryland, to be an Assistant Secretary (Conflict and Stabilization Operations), and to be Coordinator for Reconstruction and Stabilization, Kenneth Lee Salazar, of Colorado, to be Ambassador to the United Mexican States, Jessica Lewis, of Ohio, to be an Assistant Secretary (Political-Military Affairs), Donald Lu, of California, to be Assistant Secretary for South Asian Affairs, Rufus Gifford, of Massachusetts, to be Chief of Protocol, and to have the rank of Ambassador during his tenure of service, and Lee Satterfield, of South Carolina, to be an Assistant Secretary (Educational and Cultural Affairs), all of the Department of State, Isobel Coleman, of New York, and Paloma Adams-Allen, of the District of Columbia, both to be a Deputy Administrator, and Marcela Escobari, of Massachusetts, to be an Assistant Administrator, all of the United States Agency for International Development, routine lists in the Foreign Service, and other pending calendar business, 10:15 a.m., SH–216.

Full Committee, business meeting to consider pending calendar business, 2 p.m., SD–G50.

Committee on Homeland Security and Governmental Affairs: business meeting to consider S. 2559, to establish the National Deepfake and Digital Provenance Task Force, S. 2551, to require the Director of the Office of Management and Budget to establish or otherwise provide an artificial intelligence training program for the acquisition workforce, S. 2520, to amend the Homeland Security Act of 2002 to provide for engagements with State, local, Tribal, and territorial governments, S. 2541, to authorize the reclassification of the tactical enforcement officers (commonly known as the “Shadow Wolves”) in the Homeland Security Investigations tactical patrol unit operating on the lands of the Tohono O’odham Nation as special agents, S. 1514, to expedite detainee transport to border patrol processing facilities, S. 2305, to enhance cybersecurity education, S. 2439, to amend the Homeland Security Act of 2002 to provide for the responsibility of the Cybersecurity and Infrastructure Security Agency to maintain capabilities to identify threats to industrial control systems, S. 2540, to make technical corrections to title XXII of the Homeland Security Act of 2002, S.

2525, to amend the Homeland Security Act of 2002 to require research and development to identify and evaluate the extent to which critical domain risks within the United States supply chain pose a substantial threat to homeland security, and the nominations of Robert Luis Santos, of Texas, to be Director of the Census, Department of Commerce, and Ed Gonzalez, of Texas, to be an Assistant Secretary of Homeland Security, 10:30 a.m., SD–342.

Committee on Indian Affairs: business meeting to consider S. 989, to establish a Native American language resource center in furtherance of the policy set forth in the Native American Languages Act, and S. 1402, to amend the Native American Languages Act to ensure the survival and continuing vitality of Native American languages, 3 p.m., SD–628.

Select Committee on Intelligence: to hold hearings to examine threats to U.S. national security, focusing on Beijing’s long arm, 2:45 p.m., SH–216.

House

No hearings are scheduled.

Next Meeting of the SENATE

10:30 a.m., Wednesday, August 4

Senate Chamber

Program for Wednesday: Senate will continue consideration of H.R. 3684, the legislative vehicle for the Infrastructure Investment and Jobs Act.

At approximately 12:15 p.m., Senate will vote on or in relation to Carper (for Johnson) Amendment No. 2245 (to Amendment No. 2137), to prohibit the cancellation of contracts for physical barriers and other border security measures for which funds already have been obligated and for which penalties will be incurred in the case of such cancellation and prohibiting the use of funds for payment of such penalties, with 60-affirmative votes required for adoption of the amendment.

Additional roll call votes are expected during Wednesday's session.

Next Meeting of the HOUSE OF REPRESENTATIVES

12 noon, Friday, August 6

House Chamber

Program for Friday: House will meet in Pro Forma session at 12 noon.

Extensions of Remarks, as inserted in this issue

HOUSE

Adams, Alma S., N.C., E869, E870
Carter, Earl L. "Buddy", Ga., E869
Gimenez, Carlos A., Fla., E870
Graves, Sam, Mo., E870
Lamborn, Doug, Colo., E869
Letlow, Julia, La., E870
Rodgers, Cathy McMorris, Wash., E870
Scott, Robert C. "Bobby", Va., E869



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